

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION
SENATE LOCAL GOVERNMENT COMMITTEE

Date: Friday, March 18, 2011
Place: Capitol

Time: 3:00 PM
Room: 405

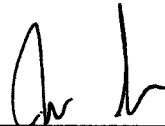
BILLS and RESOLUTIONS HEARD:

HB 403 - Revise cluster development law

EXECUTIVE ACTION TAKEN:

HB 212 Do Concur
HB 231 Table
HB 338 Do Concur
HB 403 Do Concur
HB 516 Do Concur As Amended
HB 538 Do Concur As Amended
HB 542 Do Concur As Amended
HB 575 Do Concur As Amended
Committee Bill - Do Pass

Comments:



SEN. Jon Sonju, Chair

MONTANA STATE SENATE
ROLL CALL
LOCAL GOVERNMENT
COMMITTEE

DATE: 3-18, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Sonju	X	
Vice Chair Wittich	X	
Senator Augare	X	
Senator Buttrey	X	
Senator Gallus	X	
Senator Moss	X	
Senator Olson		X
Senator Tutvedt	X	
Senator Vuckovich	X	

9 Committee Members



SENATE STANDING COMMITTEE REPORT

March 18, 2011

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Mr. President:

We, your committee on **Local Government** recommend that **House Bill 403** (third reading copy -- blue) be concurred in.

Signed: _____

Senator Jon Sonju, Chair

To be carried by Senator Bruce Tutvedt

- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ☐

HB0403001SC06485.sdr

DR

BILL TABLED NOTICE

SENATE LOCAL GOVERNMENT COMMITTEE

The **SENATE LOCAL GOVERNMENT COMMITTEE** TABLED
HB 231 - Repeal requirements for municipalities to hire career paid firefighters, by
motion, on **Friday, March 18, 2011**.

(For the Committee)

Sam Anderson
(For the Secretary of the Senate)

1 0:30 / 3-21-11
(Time) (Date)

March 21, 2011

Kirk Lundby, Secretary

Phone: 4315



SENATE STANDING COMMITTEE REPORT

March 18, 2011

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Mr. President:

We, your committee on **Local Government** recommend that **House Bill 212** (third reading copy -- blue) **be concurred in.**

Signed: _____

A handwritten signature in black ink, appearing to read "Jon Sonju".

Senator Jon Sonju, Chair

To be carried by Senator Gene Vuckovich

- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ☐

HB0212001SC08061.sdr

OK



SENATE STANDING COMMITTEE REPORT

March 18, 2011

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Mr. President:

We, your committee on **Local Government** recommend that **House Bill 338** (third reading copy -- blue) be concurred in.

Signed: _____

Senator Jon Sonju, Chair

To be carried by Senator Art Wittich

- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ____

HB0338001SC08060.sdr

PR



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Local Government** recommend that **House Bill 538** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Senator Jon Sonju, Chair

To be carried by Senator Alan Olson

And, that such amendments read:

1. Page 1, line 23.

Following: "by"

Insert: "by"

- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ____

HB0538001SC07878.sdr

DL



SENATE STANDING COMMITTEE REPORT

March 18, 2011

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Mr. President:

We, your committee on **Local Government** recommend that **House Bill 542** (third reading copy -- blue) be concurred in as amended.

Signed: _____

A handwritten signature in dark ink, appearing to be "Jon Sonju".

Senator Jon Sonju, Chair

To be carried by Senator Bruce Tutvedt

And, that such amendments read:

1. Title, lines 4 and 5.

Strike: "GENERALLY" on line 4

Following: "REVISING" on line 4

Strike: "THE" on line 4 through "APPLICATIONS" on line 5

Insert: "PROVISIONS GOVERNING CRITERIA FOR LOCAL GOVERNMENT
REVIEW OF PROPOSED SUBDIVISIONS AND INFORMATION PROVIDED AS
PART OF A REVIEW"

2. Title, line 6 through line 7.

Following: "SCIENTIFIC" on line 6

Strike: ", " on line 6 through "PEER-REVIEWED" on line 7

3. Title, line 15.

Strike: "76-3-604,"

Following: "76-3-608"

Strike: ", "

4. Page 1, line 20 through page 4, line 5.

Strike: section 1 in its entirety

Renumber: subsequent sections

Committee Vote:

Yes 5, No 4

Fiscal Note Required ☐

Handwritten initials, possibly "AL", in the bottom right corner.

5. Page 5, line 18.

Strike: ", information,"

6. Page 5, lines 19 and 20.

Following: "regarding" on line 19

Insert: "wildlife, wildlife habitat, or the natural environment relating to"

Following: "review" on line 19

Strike: "of a subdivision application"

Following: "a" on line 20

Insert: "the best available"

Following: "scientific" on line 20

Strike: ", peer-reviewed"

7. Page 5, line 21.

Following: "comment"

Strike: ", information,"

Strike: "The" through "from a"

Insert: "A"

8. Page 5, line 23.

Following: "application"

Insert: "shall disclose that the entity has been involved in that effort prior to submitting a comment, an opinion, or information as provided in this subsection"

- END -



SENATE STANDING COMMITTEE REPORT

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Page 1 of 1

Mr. President:

We, your committee on **Local Government** recommend that **House Bill 516** (third reading copy -- blue) be concurred in as amended.

Signed: _____

A handwritten signature in black ink, appearing to be "Jon Sonju".

Senator Jon Sonju, Chair

To be carried by Senator Rowlie Hutton—

A handwritten signature in black ink, appearing to be "Sen. Wittich".

And, that such amendments read:

1. Title, line 5.

Following: "ORDINANCES"

Strike: ", RESOLUTIONS, OR POLICIES"

2. Page 1, line 12.

Following: "ordinance"

Strike: ", resolution, or policy"

- END -

Committee Vote:

Yes 5, No 4

Fiscal Note Required ☐

HB0516001SC08056.sdr

Handwritten initials in the bottom right corner, possibly "DR".



SENATE STANDING COMMITTEE REPORT

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Page 1 of 2

Mr. President:

We, your committee on **Local Government** recommend that **House Bill 575** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Senator Jon Sonju, Chair

To be carried by Senator Bruce Tutvedt.

And, that such amendments read:

1. Title, line 4 through line 6.

Strike: "CLARIFYING" on line 4 through "BOUNDS" on line 6

Insert: "ALLOWING ANNEXATION OF CERTAIN PARCELS IF ALL OWNERS OF PROPERTY TO BE ANNEXED AGREE"

2. Title, line 12.

Following: "7-2-4606,"

Insert: "7-2-4608,"

3. Page 2, line 4 through line 7.

Strike: subsections (4) and (5) in their entirety

4. Page 2.

Following: line 26

Insert: "Section 3. Section 7-2-4608, MCA, is amended to read:

"7-2-4608. Restrictions on annexation power. (1) ~~No territory which, Territory that is part of an incorporated city or town at the time such a petition for such proposed annexation is presented to such council or legislative body, forms any part of any incorporated city or town shall as provided in 7-2-4601 may not be annexed under the provisions of this part.~~

(2) ~~No Except as provided in subsection (3), a parcel of land which that, at the time such a petition for such proposed annexation is presented to such council or legislative the~~

Committee Vote:

Yes 7, No 0

Fiscal Note Required ____

HB0575001SC06485.sdr

DR

governing body of a city or town, is used in whole or in part for agricultural, mining, smelting, refining, transportation, or any industrial or manufacturing purpose or for any purpose incident ~~thereto shall~~ to those uses may not be annexed under the provisions of this part.

(3) The provisions of subsection (2) do not apply if the petition submitted to the governing body of the city or town is signed by 100% of the owners of the land proposed to be annexed and the annexation is in accordance with the city's or town's adopted growth policy."

Renumber: subsequent sections

5. Page 5, line 28 through line 30.

Strike: subsection (c) in its entirety

- END -

MONTANA STATE SENATE
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE: 3-18-11 BILL NO HB 516 AMEND. NO. _____ MOTION NO. _____

MOTION: Be Concurred In As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Augare		<input checked="" type="checkbox"/>	
Senator Buttrey	<input checked="" type="checkbox"/>		
Senator Gallus		<input checked="" type="checkbox"/>	
Senator Moss		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Olson	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Senator Tutvedt	<input checked="" type="checkbox"/>		
Senator Vuckovich		<input checked="" type="checkbox"/>	
Vice Chair Wittich	<input checked="" type="checkbox"/>		
Chairman Sonju	<input checked="" type="checkbox"/>		

9 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 5 No: 4

MONTANA STATE SENATE
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE: 3-18-11 BILL NO HB 231 AMEND. NO. _____ MOTION NO. _____

MOTION: Be Taken

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Augare	<input checked="" type="checkbox"/>		
Senator Buttrey		<input checked="" type="checkbox"/>	
Senator Gallus	<input checked="" type="checkbox"/>		
Senator Moss	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Senator Olson	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Senator Tutvedt		<input checked="" type="checkbox"/>	
Senator Vuckovich	<input checked="" type="checkbox"/>		
Vice Chair Wittich		<input checked="" type="checkbox"/>	
Chairman Sonju	<input checked="" type="checkbox"/>		

9 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 6 No: 3

MONTANA STATE SENATE
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE: 3-18-11 BILL NO HB 542 AMEND. NO. _____ MOTION NO. _____

MOTION: Be Concurred In As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Augare		<input checked="" type="checkbox"/>	
Senator Buttrey	<input checked="" type="checkbox"/>		
Senator Gallus		<input checked="" type="checkbox"/>	
Senator Moss		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Olson	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Senator Tutvedt	<input checked="" type="checkbox"/>		
Senator Vuckovich		<input checked="" type="checkbox"/>	
Vice Chair Wittich	<input checked="" type="checkbox"/>		
Chairman Sonju	<input checked="" type="checkbox"/>		

9 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 5 No: 4

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Lynda Moss, request to be excused from the
Local Government COMMITTEE
due to my other commitment. I desire to leave my proxy vote with:

Sen. Shannon Angare

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 403	✓				
HB 212	✓				
HB 231 To Table	✓				
HB 338	✓				
HB 538	✓				
HB 542 And (HB 54201)	✓				
HB 542 As Amended		✓			
Committee Bill-Keene	✓				
HB 516 ⁵¹⁶⁰¹ Amendment	✓				
HB 516 As Amended		✓			
HB 57501 Amend	✓				
HB 575 Conceptual	✓				
HB 575 As Amended	✓				

Sen. Lynda Moss
(Signature)

Date 03/18/11

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Alan Olson, request to be excused from the

Local Government COMMITTEE


due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Art Wittich

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 231-Table	✓	
HB 542-do concur	✓	
HB 516-do concur	✓	

BILL/AMENDMENT	AYE	NO

Sen. 
(Signature)

Date 3/18/11

SENATE LOCAL GOVERNMENT COMMITTEE

Sponsor: Representative Gary MacLaren

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.